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December 12, 2012

Via E-mail @jlee@fec.gov

Mr. Jeff S. Jordan  
Supervising Attorney  
Complaints Examination & Legal Administration  
Federal Election Commission  
999 E. Street, NW  
Washington, D.C. 20463

Re: MUR 6621

Dear Mr. Jordan:

On behalf of The Broadmoor Hotel, Inc. (the "Broadmoor"), we respectfully submit this response to your letter dated December 3, 2012, in which you invite the Broadmoor to address the following two questions:

- 1) Whether the Broadmoor and the Broadmoor Golf Club ("Golf Club") are separate legal entities, how the two are organized, and what their relationship may be; and
- 2) Whether and how the Federal Election Commission's ("FEC") regulation concerning membership organizations, 11 C.F.R. § 114.7, applies to the Broadmoor or Golf Club, if at all.

As to the first question, the Broadmoor and the Golf Club are not separate legal entities. The Golf Club was originally founded as a separate entity in 1917, but was voluntarily dissolved in 2006 and the Broadmoor assumed operations (see attached). Since then, the Broadmoor has operated the Golf Club as a department of the hotel and the employees of the Golf Club are Broadmoor employees. The Broadmoor established an internal set of rules and regulations that govern the membership terms and benefits for the Club. The Golf Club and the Broadmoor are therefore the same legal entity.

With regards to the application of membership organization regulations, we submit that the regulations apply only to the extent that the Broadmoor qualifies as a corporate member of the separate segregated fund ("HotelPAC") established and operated by the American Hotel & Lodging Association ("AHLA"), a trade association. The Broadmoor (and by extension the Golf Club) is not a membership organization as that term is defined by 11 C.F.R. § 114.7; instead, it is a for-profit corporation with capital stock. The Broadmoor does not operate a separate segregated fund, or any other federal, state or local political entity.

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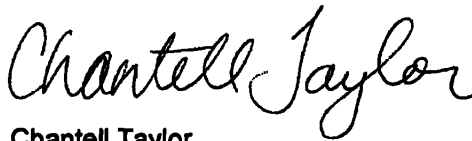
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The membership organization regulations do, however, govern the activities of HotelPAC and AHLA's solicitation activities. As set forth in the Broadmoor's initial response to the underlying Complaint, the Broadmoor had no reason to believe that the solicitation of its Golf Club members was impermissible because they followed AHLA's instructions explicitly. All other parties involved in planning the PAC event each year, including the Broadmoor staff, the Colorado Hotel & Lodging Association President Christine O'Donnell, HotelPAC Chair and Auctioneer Toma Brashear, among others, can attest that AHLA approved and encouraged the invitation of Golf Club members and that the Broadmoor reasonably relied on these directions. Any inappropriate contributions that were allegedly solicited and received were therefore the responsibility of AHLA and HotelPAC, not the Broadmoor.

Thank you for the opportunity to provide additional clarification on this matter. Please do not hesitate to contact me should you have additional questions.

Regards,



Chantell Taylor

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## Summary

ID Number:	19871065571
Name:	BROADMOOR GOLF CLUB, Dissolved December 12, 2006
Registered Agent:	THE CORPORATION COMPANY
Registered Agent Street Address:	1675 Broadway Ste 1200, Denver, CO 80202, United States
Registered Agent Mailing Address:	
Principal Street Address:	1 LAKE AVE, COLORADO SPRINGS , CO 80906, United States
Principal Mailing Address:	1 Lake Avenue, Colorado Springs, CO 80906, United States
Status:	Voluntarily Dissolved
Form:	Nonprofit Corporation
Jurisdiction:	Colorado
Formation Date:	09/08/1917
Term of Duration:	Perpetual
Periodic Report Month:	September

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